

DETAILED ACTION

1. This action is in response to communications filed November 13, 2009.

Claims 1 and 18 have been amended. Claims 1, 6 and 8-18 remain pending in the application.

Response to Amendment

2. The declaration under 37 CFR 1.132 filed November 13, 2009 is insufficient to overcome the rejection of claims 1, 6, and 8-16 based upon Kelly under 35 U.S.C. 102(e) and the rejection of claims 17 and 18 based upon Kelly and Osaku under 35 U.S.C. 103(a) as set forth in the last Office action because: the declaration fails to set forth facts. In the declaration Zhao LIN states, "I believe that a person of ordinary skill, at the time this application was filed, would have recognized: 1) that FDCA is a network address and can be used directly without further conversion to an IP address..." Zhao LIN also indicates that his beliefs are based on the description in the Background of the Art, the Summary of the Invention and the Description of the Preferred Embodiment. Nevertheless, Zhao LIN fails to set forth facts that prove applicant's claimed invention **has** to work in the manner recognized by Zhao LIN, and that in no way would one of ordinary skill in the art interpret applicant's claimed invention as suggested by the examiner in previous actions.

Response to Arguments

3. Applicant's arguments filed November 13, 2009 have been fully considered but they are not persuasive. Applicant argued: Kelly fails to disclose using the email address or the telephone number to communicate on the network layer. Nothing in Kelly discloses or teaches assigning a FDCA to each online computer as required by claim 1 so as to identify each online computer on a network layer.

4. In response to applicant's remarks, the examiner submits Kelly discloses using the email address or telephone number to communicate on the network layer and assigning a FDCA to each online computer as required by claim 1 at least where Kelly teaches assigning a telephone number to each online computer so as to identify each computer on a network layer, (col. 11, line 50-col. 12, line 14); and using the email address or the telephone number to communicate on the network layer, (col. 4, lines 32-46).

5. Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. Applicant is requested to review the prior art of record for further consideration.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 6, 8-16, are rejected under 35 U.S.C. 102(e) as being anticipated by Kelly, U.S. Patent 6,594,254.

8. In considering claim 1, Kelly teaches a method for assigning a unique full digital code address (FDCA) to an online computer, comprising: assigning to said computer the FDCA that is adapted to replace IP address-domain name address coding solutions, the FDCA comprising an online number (i.e. 1-561-997-4001), comprising: a digital number (i.e. 997-4001) of an established network site (i.e. telephone exchange on a PSTN), which is predetermined by a country or area, (col. 11, line 50-col. 12, line 14); a telephone number (i.e. 1-561-997-4001) comprising a country code (i.e. 1) designating the country where a user of the online computer is located, an area code (i.e. 561) designating the area where the user is located and a telephone number (i.e. 997-4001) of the user, (col. 11, line 50-col. 12, line 14); and a category number (i.e. 1-561-997-4001) comprising a digital number (i.e. 997-4001) predetermined by the country or the area for uniformly demarcating a business category (i.e. carrier.com, or provider2.com), (col. 11, line 50-col. 12, line 31), and identifying said computer in the network only by the FDCA on a network layer, (col. 12, lines 3-14, col. 4, lines 32-46).

9. In considering claim 6, Kelly discloses: not only assigning a fixed static address to each online computer, but also assigning a dynamic address to any temporary online computer, (col. 7, lines 39-46).

10. In considering claims 8 and 10, Kelly teaches accessing an E-mail box by dialing a telephone keyboard to input the FDCA into a modem of a computer (col. 7, lines 39-46, col. 11, lines 54-59), linking to the FDCA, and converting the FDCA by using dedicated software, (col. 13, lines 22-38).

11. In considering claims 9 and 11, Kelly teaches browsing the Internet by dialing up a keyboard of a dial-up telephone to input the FDCA into a modem of the computer, linking to the FDCA, and converting the FDCA by using dedicated software, (col. 7, lines 20-29, col. 11, lines 54-59).

12. In considering claim 12 Kelly teaches converting the FDCA into an IP address by using dedicated interpreting software, whereby the FDCA corresponds appropriately to one existing IP address, (col. 7, line 51-col. 8, line 8).

13. In considering claim 13, Kelly teaches converting the FDCA into a domain name by using dedicated interpreting software, whereby the FDCA corresponds appropriately to one existing domain name, (col. 12, lines 7-14).

14. In considering claim 14, Kelly teaches converting the FDCA into a Chinese hierarchy system domain name by using dedicated interpreting software, whereby the FDCA corresponds appropriately to one existing Chinese hierarchy system domain name, (col. 9, lines 35-67).

15. In considering claim 15, Kelly teaches assigning a subcategory number (i.e. boca561.997) following the category number, (col. 14, lines 4-33).

16. In considering claim 16, Kelly discloses assigning an encrypted digital number (i.e. user pin code) following the online number, (col. 16, lines 20-44).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

18. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly.

19. In considering claim 17, Kelly further teaches assigning an address to a mailbox, wherein the mail box address comprises a digital number and a domain name of a mail server where the mail box is located, (col. 7, lines 39-46, col. 11, line 50-col. 12, line 14).

Kelly also discloses identifying a mail box by an alias, E-mail address, or key word, (col. 7, lines 51-56).

Although the teachings of Kelly show substantial features of applicants claimed invention, they fail to expressly disclose: the mail box address comprising a user name.

Nevertheless, it was well known in the art at the time of the present invention that an alias, E-mail address, or key word can comprise a user name.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the present invention to modify the teachings of Kelly to expressly show the mail box address comprising a user name. This would have advantageously facilitated identifying the mail box of a callee party when communications were desired with the callee party, (col. 7, lines 51-56).

20. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of Osaku et al. (hereinafter Osaku), U.S. Patent 6,061,738.

21. In considering claim 18, Kelly teaches a method for assigning a unique full digital code address (FDCA) to each of a plurality of computers (i.e. 232) in a network, comprising: creating the FDCA that is adapted to replace IP address-domain name address coding solutions for each of the computers (col. 7, lines 39-46), each FDCA comprising a plurality of decimal digits for indicating respectively: 1) an online number (i.e. 1-561-997-4001) (col. 11, line 50-col. 12, line 14), 2) a telephone number (i.e. 1-561-997-4001) (col. 11, line 50-col. 12, line 14), and 3) a category number (i.e. 1-561-

997-4001) (col. 11, line 50-col. 12, line 31), the online number comprising a predetermined digital number (i.e. 997-4001) for an established network site (i.e. telephone exchange on a PSTN), (col. 11, line 50-col. 12, line 14), the telephone number comprising a country code (i.e. 1) and an area code (i.e. 561) designating respectively a country and area where the computer is located, and a telephone number (i.e. 997-4001) of a user of the computer, (col. 11, line 50-col. 12, line 14), the category number comprising a predetermined digital number (i.e. 997-4001) for uniformly demarcating a business category (i.e. carrier.com, or provider2.com), (col. 11, line 50-col. 12, line 31); assigning one of the FDCAs to a respective one of the computers, (col. 7, line 39-col. 8, line 8); and identifying the computers in the network only by the FDCAs on a network layer, (col. 12, lines 3-14, col. 4, lines 32-46).

Kelly further discloses identifying one of the computers by an alias, E-mail address, or key word, (col. 7, lines 51-56).

Although the teachings of Kelly show substantial features of applicants claimed invention, they fail to expressly disclose: the online number, the telephone number and the category number being distinct from each other, (col. 7, lines 51-56).

Nevertheless, in analogous teachings Osaku discloses assigning distinct numbers to a URL, the numbers assigned by a combination of automatic numbering and a preferred selection of numbers, (col. 18, lines 28-63).

Thus, given the teachings of Osaku it would have been obvious to one of ordinary skill in the art at the time of the present invention to modify the teachings of Kelly to expressly disclose the online number, the telephone number and the category

number being distinct from each other. This would have been a mere design preference, and would have advantageously allowed assigning a unique FDCA that could be easily remembered, (Kelly, col. 7, lines 51-56, Osaku, col. 18, lines 38-63).

Conclusion

22. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HASSAN PHILLIPS whose telephone number is (571)272-3940. The examiner can normally be reached on Mon-Fri (9am-6pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hassan Phillips/
Primary Examiner, Art Unit 2451